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September 25, 2013

Mr. Daniel Werfel
Acting Commissioner
Internal Revenue Service
1111 Constitution Avenue, N.W.
Washington, D.C. 20224

Dear Mr. Werfel,

In the course of its investigation of the Internal Revenue Service's (IRS) political targeting of certain taxpayers, the Committee on Ways and Means (Committee) has discovered that inappropriately obtained donor lists still remain in taxpayer case files, despite assurances from then-Acting Commissioner Miller at our May 17, 2013 hearing.

In testimony before the Oversight Subcommittee on September 18, 2013, you said you "learned last night about the potential presence of these donor lists, which were intended to be destroyed." You provided a possible reason for the presence of these lists, saying "it may be, for example, that we gave you a case file before August 2012 and that you found it in there before we put our destruction order in." Upon further investigation, however, the Committee has discovered donor list information contained in recent electronic productions from the IRS, including in a series of documents produced to the Committee on the very day of the hearing. Donor information was only found in the files of right-leaning organizations.

As you know, the names of donors to 501(c)(4) organizations are confidential. However, if provided to the IRS during the application process this information would be included materials available for public examination upon approval, putting these donors at the risk of potential harassment. This risk is not hypothetical; the Committee received testimony at a June 4, 2013 hearing from a group that been victimized by an IRS leak of donor names that resulted in threats against individual donors. There is also concern that the IRS may have targeted donors disclosed in the lists for examination.

Please take immediate steps to ensure that the donor lists discovered by the Committee, and any other donor lists inappropriately requested and retained in the files of targeted organizations, are destroyed immediately; please provide to me written confirmation of their destruction. The lists in question were contained in the following Bates ranges:

IRS000092084 – IRS0000410685 (delivered on September 18, 2013)
IRS0000015601 – IRS0000137657 (delivered on August 14, 2013)

Pursuant to my authority under IRC §6103, please provide the following information by October 9, 2013:

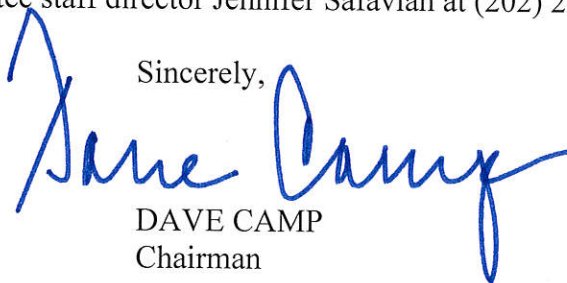
1. Have any of the donors identified in the files noted above been subject to IRS examination between 2010 and 2013?
2. If so, please provide the names of these taxpayers, and all documents related to their cases.

I am designating six members of the Committee staff as my agents to receive returns and return information insofar as it is disclosed pursuant to this request: Jennifer Safavian, Mark Epley, Jennifer Acuña, Matthew Hittle, Chris Armstrong, and Margaret Hostetler.

This document is a record of the Committee and is entrusted to the Internal Revenue Service for your use only in handling this matter. Additionally, any documents created by the Internal Revenue Service in connection with a response to this Committee document, including (but not limited to) any replies to the Committee, are records of the Committee and shall be segregated from agency records and remain subject to the control of the Committee. Accordingly, the aforementioned documents are not “agency records” for the purpose of the Freedom of Information Act. Absent explicit Committee authorization, access to this document and any responsive documents shall be limited to Internal Revenue Service personnel who need such access for the purpose of providing information or assistance to the Committee.

Thank you in advance for your assistance in this matter. If you have any questions, please contact Ways and Means Committee staff director Jennifer Safavian at (202) 225-3625.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Camp", is written over the printed name and title.

DAVE CAMP
Chairman